

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

CATHERINE BALSLEY AKA  
CATHERINE BOSLEY, et al.

Plaintiff,

VS.

LFP, INC., et al.

Defendant.

CASE NO.: 1:08-CV-00491-SO

JUDGE: SOLOMON OLIVER, JR.

**MOTION TO SCHEDULE STATUS**  
**CONFERENCE**

Now come Plaintiffs, by and through counsel, and respectfully request that this Court schedule a Status Conference in this matter for purposes of establishing Final Pretrial and Trial dates. This request is made consistent with the Court's May 12, 2008 Case Management Conference Plan/Order. A Brief in Support is attached hereto and incorporated herein by reference.

Respectfully submitted,

/s/ Andrew A. Kabat

Andrew A. Kabat (0063720)

Bradley J. Barmen (0076515)

**HABER POLK LLP**

Eaton Center, Suite 620

1111 Superior Avenue

Cleveland, Ohio 44114

Phone: (216) 241-0700

Fax: (216) 241-0739

E-mail: [akabat@haberpolk.com](mailto:akabat@haberpolk.com)

bbarmen@haberpolk.com

Attorney for Plaintiffs

**BRIEF IN SUPPORT**

The Defendants filed a Motion to Dismiss Plaintiffs' Complaint on March 24, 2008. On May 6, 2008, this Court conducted a Case Management Conference. Thereafter, on May 12, 2008, a Case Management Conference Plan/Order was issued. All of the dates for the progress of this litigation were dependent upon a ruling on the Defendants' Motion to Dismiss. Specifically, the Court indicated:

1. Discovery due four months after ruling on Motion to Dismiss;
2. Dispositive Motions due thirty days after close of discovery; and
3. Status Conference to be scheduled approximately sixty days after a ruling on Motion to Dismiss.

This Court issued its Order granting in part and denying in part Defendants' Motion to Dismiss on December 2, 2008. Thus, pursuant to this Court's prior Case Management Conference Plan/Order, the following dates were established:

1. Discovery deadline – April 2, 2009; and
2. Dispositive Motion deadline – May 2, 2009.

This Court has not yet scheduled a Status Conference to determine a date for the Final Pretrial and the Trial. Plaintiffs' respectfully request that a Status Conference be scheduled at the Court's convenience to establish the remaining litigation schedule. This Motion is made in good faith and not for purposes of delay.

Respectfully submitted,

*/s/ Andrew A. Kabat*

---

Andrew A. Kabat (0063720)  
Bradley J. Barmen (0076515)  
**HABER POLK LLP**  
Eaton Center, Suite 620  
1111 Superior Avenue  
Cleveland, Ohio 44114  
Phone: (216) 241-0700  
Fax: (216) 241-0739  
E-mail: akabat@haberpolk.com  
bbarmen@haberpolk.com

Attorney for Plaintiffs

**CERTIFICATE OF SERVICE**

I hereby certify that on March 31, 2009, a copy of the foregoing was filed electronically.  
Notice of this filing will be sent to all parties by operation of the Court's electronic filing system.  
Parties may access this filing through the Court's system

*/s/ Andrew A. Kabat*

---

Andrew A. Kabat (0063720)  
Bradley J. Barmen (0076515)